

8215.0500 MAIL BALLOTING.

Subpart 1. **Scope.** Except as provided in this part, a precinct authorized under Minnesota Statutes, section 204B.45, to provide balloting by mail must conduct the presidential nomination primary in the same manner as the state primary as provided in chapter 8210 and Minnesota Statutes, section 204B.45.

Subp. 2. **Mailing ballots.** The county auditor shall mail the ballots of each major political party to applicable registered voters. A voter may return only one major party ballot. The mail voter's certificate on the return envelope must provide a place for the voter to indicate the major political party whose ballot the voter has enclosed in the secrecy envelope.

Subp. 3. **Form of instructions to mail voters.** Notwithstanding part 8210.3000, subpart 4a, the form of instructions to mail voters to be used in a presidential nomination primary must substitute the following instructions:

How to vote by mail ballot**You will need:**

- Ballot*
- Tan ballot envelope*
- White signature envelope*
- Pen with black ink
- Witness

Anyone registered to vote in Minnesota,
including your spouse or relative,
or a notary public,
or a person with the authority to administer oaths

**If any of these items are missing, please contact your local election official.*

1 Vote!

- Choose the ballot of the party that you are in general agreement with the principles of.
- Show your witness that party's blank ballot, then mark your votes in private.
- Follow the instructions on the ballot.
- Do not write your name or ID number anywhere on your ballot.
- Do not vote for more than one candidate. If you do, your vote will not count.
- Do not vote the ballot of more than one party. Only return one ballot.
- Destroy and discard the extra blank ballot. You can destroy the ballot by shredding or tearing the extra ballot in half. Do not return the extra ballot.
See the other side if you make a mistake on your ballot.

2 Seal only one voted ballot in the tan ballot envelope

- Do not write on this envelope.

3 Put the tan ballot envelope into the white signature envelope

4 Fill out the white signature envelope completely

- If there is no label, print your name and Minnesota address.
- In the oath, print the name of the political party ballot that you chose. If you do not print a party name, your vote will not count. If you return a different ballot than you indicate in the oath, your vote will not count.
- Read and sign the oath.
- Ask your witness to print their name and Minnesota street address, including city (not a PO Box), and sign their name.
If your witness is an official or notary, they must print their title instead of an address.
Notaries must also affix their stamp.
- Seal the envelope.

5 Return your ballot by Election Day to the address on the signature envelope

You have three options:

- Send it so it arrives by Election Day, using United States mail or a package delivery service,
- Deliver it in person by 8:00 p.m. on Election Day, or
- Ask someone to deliver it by 8:00 p.m. on Election Day.
This person cannot deliver more than 3 ballots.
If you have questions, please call (...) ...-.... .

See other side for special instructions if you have a disability**Correcting a mistake**

- If time allows, ask for a new ballot from your election office. Contact your election office at [e-mail] or [phone number], or
- Completely cross out the name of the candidate you accidentally marked and then mark your ballot for the candidate you prefer (do not initial your corrections).

If you have a disability:

If you have a disability or cannot mark your ballot, your witness may assist you by marking your ballot at your direction, assembling the materials, and filling out the forms for you.

When signing the envelope, Minnesota law says you may:

- Sign the return envelope yourself, or
- Make your mark, or
- Ask your witness to sign for you in your presence. (Have your witness sign their own name as well.)
- If you have adopted the use of a signature stamp for all purposes of signature, you may use your signature stamp or ask your witness to use your signature stamp in your presence.

Minnesota Statutes, section 645.44, subdivision 14

Please note: Voting is not covered by power of attorney. A person with power of attorney may only sign for you in your presence as outlined above.

Subp. 4. **Additional instructions for mail voters where an additional mailing envelope is used.** In those precincts where an additional white return envelope is used to protect from view the information contained on the signature envelope, the list under "You will need" in subpart 3 must also include:

- Large white return envelope*

A new instruction 5 must be inserted and subsequent instructions renumbered. The new instruction 5 must read:

5 Put the signature envelope into the large white return envelope to protect your information from view

The heading of renumbered instruction 6 must now read:

6 Return your ballot by Election Day to the address on the return envelope

Subp. 5. **Form of mail voter's certificate.** Notwithstanding part 8210.3000, subpart 4b, the form of the mail voter's signature certificate to be used in a presidential nomination primary must be as follows:

Signature Envelope

Voter must complete this section

please print clearly

Voter name _____

Voter MN Address _____

_____MN

I certify that on Election Day I will meet all the legal requirements to vote. I am in general agreement with the principles of the _____ Party, and I understand that my choice of a party's ballot will be public information.

Voter Signature X _____

Witness must complete this section

Witness name _____

MN street address _____

(or title, if an official or notary)

Street Address

_____MN

City

I certify that:

- the voter showed me the blank ballot before voting;
- the voter marked the ballot in secrecy or, if physically unable to mark the ballot, the ballot was marked as directed by the voter;
- the voter enclosed and sealed the ballot in the ballot envelope; and
- I am or have been registered to vote in Minnesota, or I am a notary, or I am authorized to give oaths.

Witness Signature X

If notary, must affix stamp

Subp. 6. **Checklist for mail voters.** Jurisdictions choosing to use an additional white return envelope to protect from view the information contained on the signature envelope must have the following words printed on the exterior of the white return envelope:

"Have you . . .

- ☐ Included only your voted ballot and destroyed the ballot you did not vote?
- ☐ Sealed your ballot in the tan ballot envelope?
- ☐ Put the ballot envelope in the white signature envelope?
- ☐ Filled out the white signature envelope completely and signed it?
- ☐ Asked your witness to complete their section and sign their name?
- ☐ Put the white signature envelope into this envelope?

Return your ballot so it is received by Election Day."

Subp. 7. **Change of major party choice.** Until the close of business on the seventh day before the election, a voter may change the voter's choice of which major political party ballot the voter requested by spoiling the voter's ballot and requesting that the county transmit to the voter replacement ballots.

Subp. 8. **Receiving and counting ballots.** The ballot board must examine the mail voter's certificate to verify the voter has indicated the major political party whose ballot the voter has enclosed in the secrecy envelope, record that party in the statewide voter registration system, and sort the ballots by political party. If a major political party was not indicated, or more than one party was indicated, the ballot board must reject the ballot. If a voter voted on and returned a major political party ballot different than the major political party that the voter indicated on the voter's certificate, or if the voter voted on and returned more than one major political party ballot, the ballot board must spoil and must not count the ballot or ballots.

Statutory Authority: *MS s 207A.11*

History: *43 SR 437*

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